

Congress to significantly increase funding available to help state programs for low-income residents; and

Whereas, there are discussions under way in Congress over proposals to address this issue, including increasing the authorization funding level for the Low-Income Home Energy Assistance Program to at least \$3 billion. Clearly, such actions to bring home heating help are in order: Now, therefore, be it

*Resolved by the senate*, That we memorialize the President and the Congress of the United States to increase funding available for home heating assistance to cope with the rise in natural gas costs expected this winter; and be it further

*Resolved*, That copies of this resolution be transmitted to the Office of President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM-322. A resolution adopted by the Board of Commissioners of Ferry County of the State of Washington relative to federal lands in Ferry County, Washington; to the Committee on Energy and Natural Resources.

POM-323. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to out-of-state solid waste; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION NO. 4

Whereas, in 1992, the United States Supreme Court, in *Fort Gratiot Sanitary Landfill v. Michigan Department of Natural Resources*, ruled that states could not regulate or ban the importation of solid waste because only Congress has the authority to regulate interstate commerce. Since that time, Michigan has become the dumping ground for increasing amounts of solid waste from outside of our state and, with large amounts of trash from Canada, from outside the country; and

Whereas, Michigan has become one of the largest recipients of improved solid waste in the country. Approximately 15 percent of all trash dumped in landfills in Michigan now originates elsewhere. The amounts have increased significantly in the past several years, and recent reports of a major contract with Ontario and of the closing of the nation's largest landfill in New York seem to indicate this situation will only become a bigger issue in the future; and

Whereas, several measures have been considered in Congress to address the issue of extending authority to states to regulate or ban out-of-state solid waste, including H.R. 1730; and

Whereas, accepting unlimited volumes of trash outside our state is a serious long-term commitment. Long after the money from the contract has been spent, there is a threat to the environment and an obligation to monitor sites to protect water and health. Clearly, any state accepting these long-term risks should be able to regulate what comes across state lines for disposal: Now, therefore, be it

*Resolved by the senate*, That we memorialize the Congress of the United States to enact legislation to give states the authority to ban out-of-state solid waste; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

POM 324. A resolution adopted by the Senate of the Legislature of the State of Michi-

gan relative to foreign municipal solid waste; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION NO. 12

Whereas, Michigan has long been frustrated in efforts to regulate solid waste imported into our state. Our state is especially concerned about waste that is brought here from Ontario. Our citizens feel strongly that our environment should not be placed at additional risk from municipal solid waste and other materials that are generated elsewhere and transported here for disposal; and

Whereas, the volume of waste that comes into Michigan each year represents a significant portion of all trash handled here. As much as 20 percent of all solid waste in Michigan is from out of state, and the amount has increased significantly in recent years; and

Whereas, Congress has authority for regulating the transportation and disposal of solid waste between states and nations by virtue of the United States Constitution's interstate commerce clause. To protect the health, safety, and welfare of our environment and citizens, Congress must take action to provide states with the express means to regulate or prohibit the importation of trash. Congress has before it now a bill that would provide the appropriate authority to the states. Under H.R. 382, which has been introduced by Michigan's Congressman Rogers, states could prohibit or impose certain limitations on the receipt of foreign municipal solid waste; and

Whereas, Congress is also considering H.R. 411, which would direct the Administrator of the EPA to carry out duties under the agreement with Canada on the transboundary movement of hazardous waste; and

Whereas, hazardous waste and solid waste transported between Canada and the United States are provided for in the Agreement Between the Government of Canada and the Government of the United States Concerning the Transboundary Movement of Hazardous Waste. It has been reported, however, that the notification requirements and procedures set forth in the agreement have not been followed. It is most disturbing to think that the protections provided in the agreement between our nations are not working. The people of this state have every right to know that all prudent measures are being enforced to protect our citizens and environment: Now, therefore, be it

*Resolved by the senate*, That we memorialize the Congress of the United States to enact legislation to authorize states to prohibit or restrict foreign municipal solid waste and to urge the Environmental Protection Agency to ensure full compliance with the Agreement Between the Government of Canada and the Government of the United States Concerning the Transboundary Movement of Hazardous Waste; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, the members of the Michigan congressional delegation, and the Environmental Protection Agency.

POM-325. A resolution adopted by the Senate of the Legislature of the State of Michigan relative to solid waste management decisions; to the Committee on Environment and Public Works.

#### SENATE RESOLUTION NO. 167

Whereas, landfills and incinerators pose a variety of environmental risks to Michigan residents and our neighbors, from a potential to contaminate groundwater aquifers to the release of a variety of air pollutants; and

Whereas, certain items, such as used oil and batteries, increase significant health and

safety risks if placed in disposal facilities; and

Whereas, banning recyclable or compostable items from our disposal facilities protects public health and the environment by prolonging the life of a landfill and minimizes the need for additional landfills, saving land resources and the other inherent risks of solid waste disposal facilities; and

Whereas, the reuse of recyclable materials reduces energy use and related negative impacts on our natural resources; and

Whereas, the reuse of recyclable materials reduces the demand for virgin materials. In some cases, the mining, collection, and processing of virgin materials can lead to degradation of our natural resources; and

Whereas, Michigan's recycling rates are significantly below average when compared to the region or national averages; and

Whereas, Michigan residents have chosen to spend considerable time and resources on diverting certain waste streams from solid waste disposal facilities such as beverage containers, yard waste, used oil, and scrap tires; and

Whereas, efforts to encourage people to recycle are undermined when residents do not see a link between their efforts to recycle materials and the extension of the usable life of area disposal facilities; and

Whereas, solid waste management is most effective when done on a local level where program implementation is conducted: Now, therefore, be it

*Resolved by the senate*, That is the sense of this legislative body that local units of governments need to be empowered to have greater control over solid waste management decisions; that the county level is the optimal planning unit of government due to the multi-jurisdictional nature of solid waste disposal facilities; that the state of Michigan should play a larger role in ensuring that products that Michigan residents have decided to divert from solid waste disposal facilities are not allowed in our facilities from other jurisdictions; and that the state of Michigan should support local units of governments in their efforts to provide alternative disposal mechanisms for those items banned from our solid waste disposal facilities; and be it further

*Resolved*, That we memorialize the Congress of the United States to enact legislation to extend to the states more authority for the management of solid waste; and be it further

*Resolved*, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, without amendment:

S. 616. A bill to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting the use of mercury fever thermometers and improving the collection and proper management of mercury, and for other purposes (Rept. No. 108-199).

By Ms. COLLINS, from the Committee on Governmental Affairs, without amendment:

S. 1561. A bill to preserve existing judgeships on the Superior Court of the District of Columbia (Rept. No. 108-200).